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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/826,607

04/16/2004

Wen-Jun Wu

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24938 7590 06/14/2007

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EXAMINER

DAVIS, OCTAVIA L

ART UNIT

PAPER NUMBER

2855

MAIL DATE

DELIVERY MODE

06/14/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/826,607

Applicant(s)

WU ET AL.

Examiner

Octavia Davis

Art Unit

2855

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-8, 16 and 17 is/are allowed.
- 6) ☒ Claim(s) 9-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 9 – 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bocchicchio et al (5,929,459) in view of Cudnohufsky (3,593,605).

Regarding claim 9, Bocchicchio et al disclose a method and apparatus for inspecting a workpiece with edge and non-planarity determination comprising calculating a center of gravity 430 of a workpiece 410, determining an axis of the workpiece based at least partially on the center of gravity and determining a position and geometry of a tool according to the axis of the workpiece (See Col. 6, lines 4 – 8, Col. 9, lines 16 – 26 and Col. 11, lines 46 - 48) but does not disclose that the workpiece is a fastener. However, Cudnohufsky discloses an apparatus for dynamically balancing a rotating workpiece wherein an axis of rotation 16 of a workpiece is determined (See Col. 2, lines 47 – 50), a center of inertia or gravity of the workpiece and its position are calculated (See Col. 3, lines 1 – 5 and 8 – 19), the workpiece being a rotating workpiece for a machine tool.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bocchicchio et al in view of Cudnohufsky for the purpose of, advantageously providing a rotating workpiece that is capable of ready assembly and disassembly in a machine tool (See Cudnohufsky et al, Col. 1, lines 6 – 9 and 72 – 75 and Col. 2, lines 1 – 2).

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Regarding claim 10, in Bocchicchio et al, determining the axis includes determining the axis based on a relationship between an initial axis and vertices of the workpiece (See Col. 9, lines 21 – 26).

Regarding claims 11, 12 and 15, in Bocchicchio et al, determining the axis includes assuming an initial axis, rotating the initial axis in at least one direction about an axis and adjusting the initial axis based on a relationship between the initial axis and vertices of the workpiece (See Col. 12, lines 39 – 51).

Regarding claim 13, in Bocchicchio et al, the relationship is a distance between each vertex and the line (See Col. 9, lines 52 – 56 and Col. 11, lines 55 – 59).

Regarding claim 14, in Bocchicchio et al, the step of rotating includes rotating the initial axis in at least one direction about at least one of an x axis, a y axis, and a z axis (See Col. 11, lines 8 – 22).

Allowable Subject Matter

3. Claims 1 – 8, 16 and 17 are allowed.

Response to Arguments

4. Applicant's arguments filed 3/27/07 have been fully considered but they are not persuasive. In Bocchicchio et al, the center of gravity is determined and the axis and geometry of the workpiece are determined based on the center of gravity (See Col. 11, lines 40 – 54), thus the reference still stands.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Octavia Davis whose telephone number is 571-272-2176. The examiner can normally be reached on Mon through Thurs from 9 to 5. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Lefkowitz, can be reached on 571-272-2180. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

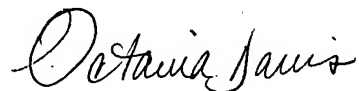
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system,

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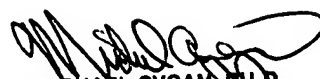
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see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



OD/2855

6/4/07



MICHAEL CYGAN, P.L.D.
PRIMARY EXAMINER